

SECOND REGULAR SESSION

SENATE BILL NO. 597

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR DEMPSEY.

Read 1st time January 4, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

4509S.021

AN ACT

To repeal sections 92.045, 305.510, and 305.515, RSMo, and to enact in lieu thereof four new sections relating to the Missouri-St. Louis metropolitan airport authority, with an effective date.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 92.045, 305.510, and 305.515, RSMo, are repealed and
2 four new sections enacted in lieu thereof, to be known as sections 92.045, 305.510,
3 305.515, and 305.572, to read as follows:

92.045. 1. Any constitutional charter city in this state which now has or
2 may hereafter acquire a population in excess of three hundred fifty thousand
3 inhabitants, according to the last federal decennial census, is hereby authorized,
4 for city and local purposes, to license, tax, and regulate the occupation of
5 merchants, manufacturers, and all businesses, avocations, pursuits, and callings
6 that are not exempt from the payment of licenses by law and may, by ordinance,
7 base such licenses on gross receipts, gross profits or net profits, per capita, flat
8 fee, graduated scale based on gross or net receipts or sales, or any other method
9 or measurement of tax or any combination thereof derived or allocable to the
10 carrying on or conducting of any business, avocation, pursuits or callings or
11 activities carried on in such cities **or airports owned, controlled, or**
12 **maintained by such cities.**

13 2. The local legislative body may grant by ordinance to its administering
14 tax official the power to adopt regulations and rules relating to any matters
15 pertaining to the administration and enforcement of any ordinances enacted in
16 accordance with the authority heretofore given. Copies of such regulations and
17 rules shall be kept in the office of such tax official designated in such ordinance

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 and shall be open to inspection by the public. Said regulations or rules may be
19 changed or amended from time to time.

305.510. 1. "The Missouri-St. Louis Metropolitan Airport Authority" is
2 hereby established. The authority is a body corporate and a political subdivision
3 of the state and shall be known as "The Missouri-St. Louis Metropolitan Airport
4 Authority", and in that name may sue and be sued. Actions of the authority are
5 declared to be in the public interest and for a public purpose, and the authority
6 may exercise the powers herein granted or necessarily implied for the purpose of
7 promoting the general welfare and to provide safe and convenient air travel and
8 transportation to and from the greater St. Louis metropolitan area.

9 2. [After June 30, 1983, the general assembly shall not appropriate or
10 expend any state moneys for the implementation and continuation of this section
11 or the Missouri-St. Louis metropolitan airport authority.] **Beginning January
12 1, 2015, the authority shall be responsible for the operation of any and
13 all international airports located in Missouri within fifty miles of the
14 city of St. Louis, and shall exercise any and all powers granted to it in
15 this chapter in the exercise of this responsibility. Nothing herein shall
16 be construed to change the ownership of such international airport.**

17 3. **The authority shall honor all bonds, debts, outstanding
18 obligations, and contracts and employee pension plans of any airport
19 or airport authority affected by this section.**

20 4. **The operation of such airport by the authority shall replace
21 the operation by any other entity created by local ordinance.**

22 5. **Any profit from the operation of any airport or airport
23 authority affected by this section shall continue to be received by the
24 city of St. Louis.**

25 6. **The provisions of sections 305.510 and 305.515 shall not affect
26 the tax authorized under section 92.045.**

27 7. **In no event shall the Missouri-St. Louis metropolitan airport
28 authority increase fees associated with the use of any airport affected
29 by this section to cover costs incurred due to the transfer of
30 operational control created under subsection 2 of this section.**

305.515. 1. [The governor, with the advice and consent of the senate,
2 shall appoint four members of the authority; and two of the members shall be
3 appointed for a term of two years, and two for a term of three years. The
4 governor shall designate one of the authority members as chairman for the first

5 two years. Thereafter, the authority membership shall elect a member to serve
6 as chairman.] The mayor of the city of St. Louis [and the supervisor], **the**
7 **county executive** of St. Louis [County] **county, the county executive of St.**
8 **Charles county, and the county commissions of Jefferson and Franklin**
9 **counties**, with the advice and consent of their respective governing bodies, shall
10 each appoint [three members of the authority and of the three, one shall be
11 appointed for a term of two years, one for a term of three years, and one for a
12 term of four years. The county commissions of Jefferson, Franklin and St.
13 Charles counties shall each appoint one member of the authority, each such
14 member to serve a term of four years. Thereafter, all appointments shall be for
15 a term of four years.] **one member of the authority for each one hundred**
16 **thirty thousand residents in the city or county according to the latest**
17 **decennial census. In no event shall any appointing authority for a city**
18 **or county appoint a majority of the members of the authority. The first,**
19 **third, and fifth members initially appointed by an appointing authority**
20 **shall be appointed for a term of four years. The second, fourth, and**
21 **sixth initial members shall be appointed for a term of two**
22 **years. Appointments subsequent to the initial appointments shall be**
23 **for a term of four years. Each member shall be subject to removal by**
24 **the appointing authority.** Any fraction of a year shall be considered a full
25 year and each member's term of office shall expire on the appropriate fifteenth
26 day of January, but he shall continue to hold office until his successor is
27 appointed and qualified. One more than one-half of the members of the authority
28 shall constitute a quorum. Vacancies occurring in the membership shall be filled
29 by appointment by the person making the original appointment for the unexpired
30 remainder of the term. **The authority membership shall elect a member**
31 **to serve as chairman.**

32 2. No person shall be appointed to the authority who is an elected official
33 of the state of Missouri or any political subdivision thereof. No person shall be
34 appointed to the authority who is actively engaged or employed in commercial
35 aeronautics.

36 3. The members of the authority shall receive as compensation for their
37 services twenty-five dollars per day for the time spent in the performance of their
38 official duties, and also their necessary traveling and other expenses incurred
39 while actually engaged in the discharge of their official duties.

40 4. Each member shall, before entering upon the duties of his office, take

41 and subscribe the constitutional oath of office. At such time as federal funds are
42 received or revenue bonds are issued, each member shall give bond in the penal
43 sum of one hundred thousand dollars conditioned upon the faithful performance
44 of his duties and the bond shall be filed in the office of the Missouri secretary of
45 state. The cost of the bond shall be paid by the authority.

305.572. Beginning April 1, 2015, the authority shall enter into
2 **negotiations with the appropriate officials from the city of St. Louis to**
3 **discuss issues regarding employees who work in the area's airport. The**
4 **issues to be discussed shall include, but not be limited to, the following:**
5 (1) **Employee transition issues;**
6 (2) **Employee pension plans and other retirement issues; and**
7 (3) **The amount of compensation from the city of St. Louis to**
8 **employee wages, pension plans, and other benefit programs.**
9 **Any issues discussed between the authority and the city of St. Louis**
10 **shall not be binding upon the parties.**

Section B. The provisions of this act shall become effective on January 1,
2 2015.

Bill ✓

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